

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAYMOND HOLLAND,

Plaintiff,

v.

**PROGRESSIVE SPECIALTY INSURANCE
COMPANY,**

Defendant.

CIVAL ACTION

NO. 23-0910-KSM

ORDER

AND NOW this 10th day of April, 2023, upon consideration of Defendant's Motion to Dismiss the Complaint (Doc. No. 7), Plaintiff's opposition brief (Doc. No. 8), and Defendant's reply brief (Doc. No. 10), it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. The motion is **GRANTED** as to Count II and Plaintiff's bad faith claim is **DISMISSED**.
2. The motion is **DENIED** as to Count I.
3. Defendant shall **ANSWER** the surviving portions of the Complaint by **April 24, 2023**.

IT IS SO ORDERED.

/s/Karen Spencer Marston

KAREN SPENCER MARSTON, J.